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NEW DELHI, SATURDAY, OCT. 13, 1973 (ASVINA 21, 1895)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

भाग III—खण्ड 3

PART III—SECTION 3

लघु प्रशासनों से सम्बद्ध अधिसूचनाएँ

(Notifications relating to Minor Administrations)

UNION TERRORY OF DADRA AND NAGAR
HAVELI

No. ADM/CMO/GNL/PFA/1973.—Whereas a draft notification was published, as required by section 24 of the Prevention of Food Adulteration Act, 1954 (37 of 1954) on page 67 of the Government of India Gazette Part-III Section 3 dated 10th June, 1972, under the Administration of Dadra and Nagar Haveli, No. CMO/GNL/PFA/1972 dated 20th April, 1972 inviting representations from the persons likely to be affected thereby within one month of the date of publication.

And whereas no representation has been received during the period in the matter.

Now, therefore in exercise of the powers conferred by Sub-section (1) of Section 24 of the Prevention of Food Adulteration Act, 1954 (37 of 1954) the Administrator, Dadra & Nagar Haveli, after consultation with the Central Committee for Food Standards hereby finally publish the following rules, namely :—The Dadra and Nagar Haveli, Prevention of Food Adulteration Rules, 1972.

PART I
GENERAL

1. *Short title, extent and commencement.*—(1) These rules may be called the Dadra and Nagar Haveli Prevention of Food Adulteration Rules, 1972.

(2) They extend to the whole of the Union Territory of Dadra and Nagar Haveli.

(3) They shall come into force at once.

M278GL/73

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context—

(a) "Act" means the Prevention of Food Adulteration Act, 1954 (Central Act 37 of 1954);

(b) "Administration" means the Administration of the Union Territory of Dadra & Nagar Haveli;

(c) "Administrator" means the Administrator of the Union Territory of Dadra and Nagar Haveli;

(d) "Central Rules" means the Prevention of Food Adulteration Rules, 1955, framed by the Central Government;

(e) "Food Inspector" means any person appointed by the Administrator under section 9 of the Act to exercise the functions of a Food Inspector under the Act within the local areas assigned to him;

(f) "Form" means a form appointed to these rules;

(g) "Hawker" means an itinerant retailer who has no fixed place for the sale of foodstuff;

(h) "Health Officer" includes Medical Officer or any other officer who is empowered to carry out duties of Health Officer;

(i) "manufacture" means preparing any article ready for sale and includes any process or part of a process, for making, altering, finishing, packing, labelling or otherwise treating except packing of an article in the ordinary course of retail business;

(j) "Public Analyst" means any person appointed by the Administrator under section 8 of the Act to exercise the function of a Public Analyst under the Act for the Union Territory of Dadra and Nagar Haveli;

- (k) "retail sale" means the sale for the use of consumers;
- (l) "Schedule" means a Schedule appended to these rules;
- (m) "Section" means a section of the Act;
- (n) "Wholesale" means sale for the purpose of resale;
- (o) All words and expression used but not defined in these rules shall have the same meanings as are respectively assigned to them in the Act.

PART II

FOOD (HEALTH) AUTHORITY AND LICENSING AUTHORITY

3. Food (Health) Authority and its powers and duties :—

(1) The Chief Medical Officer of the Administration shall be the Food (Health) Authority within the Union Territory of Dadra and Nagar Haveli for the purpose of the Act.

(2) The Food (Health) Authority shall be responsible for the general superintendence of the administration and enforcement of the Act.

(3) The Food (Health) Authority shall have the power to appoint Health Officer and delegate powers to him for the purpose of the Act.

(4) The Food (Health) Authority may delegate in writing all or any of his powers under the Act to any other officer by name or by virtue of the office.

(5) (a) If the Union Territory or any part thereof is visited by, or threatened with, outbreak of any infectious disease, the Food (Health) Authority shall ascertain the cause of such outbreak of the infectious disease.

(b) If in the opinion of the Food (Health) Authority the outbreak of any infectious disease is due to any article of food, the Food (Health) Authority shall take such measures as it shall deem necessary to prevent the outbreak of such disease or the spread thereof.

(c) If the Food (Health) Authority thinks it proper in the interest of public health, he shall prohibit the sale of food articles if the articles are suspected to be adulterated, misbranded or deleterious to human consumption.

(6) The Food (Health) Authority shall also be empowered to authorise a Food Inspector on behalf of the Administration by a general or special order to institute prosecutions under the Act.

(7) Appeals on decisions made by the Food (Health) Authority on matters relating to these rules shall be made by the Collector and appeals on decisions made by the Collector shall be made to the Administrator whose decision shall be final.

(8) The Food (Health) Authority may fix the monthly quota of samples to be taken and sent for analysis by Food Inspectors from their jurisdiction.

(9) The Food (Health) Authority shall also act as Licensing Authority under the Act.

(10) The validity of every licence issued by the Food (Health) Authority shall terminate on the 31st day of March immediately succeeding the date of issue.

PART III

MANUFACTURE FOR SALE OF FOOD

4. Conditions for manufacture for sale of food :—without a valid licence issued under these rules.

Provided, however, the Administrator may exempt any manufacture of any food from the operation of this rules.

5. Manufacture for sale at several premises :—

(a) If food is manufactured for sale on more than one premises by the same person or persons a separate application shall be made and a separate licence shall be issued on each such premises.

(b) Application for the grant or renewal of licence to manufacture any food for sale, shall be made to the Licensing Authority in form 1 with Rs. 0.50 paise Court fee stamp affixed thereto and accompanied by documents to show that the prescribed licence fee has been credited to the Silvassa Sub-Treasury.

(c) Licence to manufacture food for sale shall be in Form 2.

6. Licence fee for the manufacture for sale of food :—

(a) The licence fee for the manufacture for sale of food shall be as set forth in Schedule I.

(b) The full licence fee as prescribed in categories 1 to 11 of Schedule I shall have to be paid for manufacture and sale or any one or more items mentioned in the same category, while separate licence fee shall have to be paid for articles falling under different categories.

(c) A fee of Re. 1/- shall be paid for a duplicate copy of a licence issued under this rules, if the original is defaced damaged or lost.

7. Grant or renewal of licence for the manufacture for sale or any food :—

A licence for the manufacture for sale of any food shall not be granted or renewed unless the Licensing Authority is satisfied that :—(a) the premises are maintained in proper sanitary and hygienic conditions.

(b) the licence shall comply with the provisions of the Act and the rules made thereunder and also abide by the conditions stated in the licence.

8. Period of validity of licence for the manufacture for sale of any food.—A licence for the manufacture for sale of any food shall, unless sooner suspended or cancelled, be in force for a period of one financial year from the date mentioned therein and may thereafter be renewed for a period of one year at a time :

Provided that if application for renewal is made before the expiry of the period of validity of licence, the licence shall continue in force until orders are passed on such application.

9. Certificate of renewal of licence for the manufacture for sale of any food.—The certificate of renewal of licence in Form 2 shall be in Form 3 and shall be subject to the conditions stated therein.

PART IV

SALE OF FOOD AND SUSPENSION OR CANCELLATION OF LICENCES

10. Sale etc. of food.—No person shall sell, stock and exhibit for sale or distribute any food without a valid licence issued under these rules :

Provided, however, the Administrator may exempt any food from the operation of this rules.

11. Sales etc. of food at more than one premises.—(a) If the food is sold, stocked, exhibited for sale or distributed on more than one premises by the same person, a separate application shall be made and a separate licence shall be issued on each premises.

(b) Application for the grant or renewal of licence for the sale, stocking, exhibition for sale or distribution of food shall be made to the Licensing Authority in Form IV and with Rs. 0.50 paise Court fee stamp affixed thereto and accompanied by documents to show that the prescribed licence fee has been paid in Sub-treasury, Silvassa.

(c) Licence for the sale, stocking, exhibition for sale or distribution of food shall be in Form 5.

12. *Licence fee for the sale etc. of food (a).*—The licence fee for the sale, stocking, exhibition of food shall be as set forth in Schedule II.

(b) A fee of Rupee One shall be paid for a duplicate copy of a licence issued under these rules, if the original is defaced, damaged or lost.

13. *Grant or renewal of licence for the sale, etc. of food.*—A licence for the sale, stocking, exhibition for sale or distribution of food shall not be granted or renewed unless the Licensing Authority is satisfied that (a) the premises are maintained in proper sanitary and hygienic conditions, and

(b) the licensee shall comply with the provisions of the Act and the rules made thereunder and also abide by the conditions stated in the licence.

14. *Period of validity of Licence for the sale etc. of food.*—A licence for the sale, stocking, exhibition for sale or distribution of food shall, unless sooner suspended or cancelled, be in force for a period of one financial year at a time and may thereafter be renewed for one financial year at a time.

Provided that if application for renewal is made before the expiry of the period of validity of a licence, the licence shall continue in force until orders are passed on such application.

15. *Certificate of renewal of licence for the sale, etc. of food.*—The certificate of renewal of licence in Form 5 shall be in Form 6 and shall be subject to the conditions stated therein.

16. Suspension or cancellation of licences:—

The suspension or cancellation of licence issued under rule 4 or rule 10 shall be after giving licensee an opportunity to show cause against such suspension or cancellation and must be by an order in writing, stating the reasons therefor.

PART V

17. *Fee for analysis.*—The fees to be paid for the analysis of any article of food by the public Analyst shall be as stated in Schedule III.

PART VI

18. *Fines.*—Distribution of fines realised.—All fines realised under these rules and the Act shall be credited to the Administration

By order of the Administrator,
Sd/-
Secretary to the Administrator,
Dadra and Nagar Haveli,
Silvassa

Silvassa,

Dated : — 4-1973.

SCHEDULE I

(See rule 6)

Table of fees of licence for manufacture of food for sale
Category & Licence fee

1. Aerated waters, ice, ice-cream, biscuits, bread and other bakery products, confectionary—Rs. 6.00.
2. Molasses, jaggery, sugar, coffee—Rs. 6.00.
3. Coffee—Rs. 6.00.
4. Tea—Rs. 6.00.
5. Drying copra, crushing vegetables oils by country shucks—Rs. 3.00.
6. Grinding chillies, grams, cereals, spices, condiments, etc. and preparing sago and starches—Rs. 10.00. .
7. Dairy products—Rs. 6.00.
8. Oil mills including drying copra—Rs. 10.00.
9. Rice Mills—Rs. 10.00.
10. Restaurants and Hotels—Rs. 7.50 paise.
11. Any other articles of food—Rs. 1.00.

Note : A licence under category 10 will cover manufacture of all articles incidental to the business of sale in the hotel or restaurant.

SCHEDULE II

(See rule 12)

Table of licence fee for the sale, stocking, exhibition for sale or distribution

Category & Licence fee

1. Wholesale sale—Rs. 6.00
2. Retail sales—Rs. 3.00.
3. Hawkers—Re. 1.00.
4. Fish-Meat-Eggs, Dried fish—Rs. 5.00.

SCHEDULE III

(See rule 17)

Table of fees for analysis

1. All articles of food set under section 12 of the Act—Rs. 10/- per sample.

SCHEDULE III

(See rule 17)

Table of fees for analysis

1. All articles of food sent under section 12 of the Act—Rs. 10/- per sample.

FORM 1

(See rule 5)

Application for the grant or renewal of a licence to manufacture food for sale.

I/We _____ of _____ hereby apply for (renewal of) a licence to manufacture the following category/categories of food for sale on the premises situated at _____

(Here enter category/categories of food)

1. _____
2. _____
3. _____
4. _____
5. _____

2. The details of the premises are

village :—

House No :—

Boundaries :—

East :—

South :—

West :—

North :—

3. I/We have remitted the prescribed fees of Rs. —— towards licence fee to the Silvassa Sub-Treasury on —— under receipt No. ——

4. The information furnished above is true to the best of my/our knowledge.

Place :—

Date :—

Signature

FORM 2

(See Rule 5)

Licence to manufacture food for sale

No. _____ Date _____

This licence is issued to Shri _____ son of _____ resident of _____ for the manufacture of food for sale specified below on the premises situated at _____ this licence shall be in force up to the 31st March, 19_____.

Particulars of articles of food

This licence is issued subject to the provisions of the Prevention of Food Adulteration Act, 1954 (Act 37 of 1954) and the rules made thereunder and the following conditions, namely :—

1. The licensee, his agent, and/or any person in his employment shall, on being required by any Food Inspector or the licensing authority or a Health Officer shall furnish a full description of the person and place from which the article of food which he manufactures, stores or distributes exposes or offers for sale is obtained.

2. The licensee shall always obtain his supplies from a place which is not objectionable on sanitary grounds. He shall always permit the Food Inspector, the Licensing Authority or the Health Officer to enter such place for the purpose of inspection.

3. The licensee shall not at any time manufacture, sale, store or distribute during the period of his licence any article of food in contravention of the condition of his licence.

4. (a) The licensee shall cause every part of the internal or surface of the walls and ceiling of every room or in which article of food is manufactured sold, stored or distributed by him to be thoroughly whitewashed twice a year or more often if the person authorised to inspect requires.

(b) The licensee shall also cause the floor of every such room or place to be paved throughout with suitable impervious material and so sloped as to ensure effectual drainage when washed.

(c) The licensee shall also cause the floor and drain of every such room or place and every counter, shelf or bench on which vessels containing the licensed articles are kept to be washed and thoroughly cleaned daily.

5. The licensee shall also cause every vessel used in the establishment for storage of distribution of the licensed article to be rinsed with boiling water, thoroughly cleaning them before and after use.

6. The licensee shall not use any water for drinking, washing and cleaning of vessels except water drawn from the Municipal main or from a source which is previously approved by the Health Officer concerned or the Administration.

7. Any counter or table used for keeping vessels for the manufacture or sale, storage, distribution shall be covered with zinc sheets or other suitable impervious material so as to be easily washed and cleaned.

8. The walls should be rendered smooth and impervious to a height of 5 feet with glazed tiles or cement.

9. The licence shall be valid only for the premises, godowns or space (or in the case of itinerant vendor the area) specified in the licence.

10. If the licence-holder leaves or gives up the possession of the premises for which the licence is granted, he shall surrender his licence to the authority.

11. The licensee shall not sell, store or distribute both edible and non-edible oils in the same premises for which the licence has been issued.

12. The licensee shall cause the licence to be affixed in some conspicuous part of the premises, godowns or space which the licence has been granted.

Place.....

Date,

Licensing Authority

FORM 3

(See Rule 9)

Certificate of renewal of licence to manufacture food for sale

Certified that Licence No. _____ granted on the _____ to _____ for the manufacture of the following category/categories of food for sale at the premises at _____ has been renewed for period of one year from the _____ on the conditions stated in the original licence on Form 2.

(Here enter category/categories of food.)

1. _____

2. _____

3. _____

Date.....

Licensing Authority.

FORM 4

(See Rule 11)

Application for a licence to sell, stock and exhibit for sale and distribute food.

I/we _____ son/sons of _____ resident of _____ hereby apply for (renewal of) a licence to sell, stock and exhibit for sale and distribute any wholesale/retail other sale of food specified below on the premises situated at _____.

(Here enter category/categories of food)

1. _____

2. _____

3. _____

4. _____

5. _____

2. The details of the premises are :

District _____ Village _____

No :

Boundaries :

East :

South :

West :

North :

3. I/we have remitted the prescribed fee of Rs. _____ towards licence fee to the Silvassa Sub-Treasury on _____ under receipt No. _____

4. The information furnished above is true to the best of my/our knowledge.

Date :

Signature.

FORM 5

(See Rule 11)

Licence to sell, stock and exhibit for sale and distribute food.

No. _____ Date _____

_____ is hereby licenced to sell stock and exhibit for sale and distribute on the premises situated at _____ food as shown below subject to the conditions specified below and to the provisions of the Prevention of Food Adulteration Act 1954 (Act 37 of 1954) and the rules made thereunder.

(Here enter wholesale or other sale)

2. The licence will be in force till _____ from _____

Date : _____ Licensing Authority _____

Conditions

1. This licence shall be displayed in a prominent place in a part of the premises open to the public.

2. The licensee shall allow any Food Inspector appointed under the Act to enter into any premises where food is stored or exhibited for sale or where sale of food is

carried on and to inspect the premises, records etc. at any time. The licensee shall also supply to such Inspector such information as he may require for ascertaining whether the provisions of Act and rules and the conditions of the licence are being complied with.

3. The licensee shall maintain proper sanitation and hygienic conditions within the premises licensed.

4. The licensee shall maintain such records as may be prescribed by Administration and shall submit such periodical returns to the Food Inspector as may be directed.

5. The licensee shall comply with the provisions of the Prevention of Food Adulteration Act, 1954 (Act 37 of 1954) and the rules made thereunder.

6. The licence is liable to be suspended or cancelled for a breach of any of the above conditions.

FORM 6

(See Rule 15)

Certificate of renewal of licence to sell, stock and exhibit for sale and distribute food.

No. _____ Date _____

Certified that the Licence No. _____ granted on the _____ to _____ for selling, stocking and exhibiting for sale and distributing food as shown below at the premises situated at _____ has been renewed for a period of one year from the _____ on the conditions stated in the original licence in Form 5.

(Here enter wholesale/retail/other sale)

Licensing Authority.

By order of the Administrator

Sd/-

Secretary to the Administrator,
Dadra and Nagar Haveli
Silvassa

